

§ § §

**REMARKS**

In order to promote administrative efficiency and better communication, the Examiner is invited to make suggestions at any time during the proceedings, via phone, fax or e-mail, whenever such suggestions are within the Examiner's discretion as an aid to placing the claims in order for allowance in a timely manner.

Terminal Disclaimer:

Applicant thanks the Examiner for his acceptance of the terminal disclaimer.

§102(b) Rejection based on Salyer (US Patent 6,001,105) and Temeles (US Patent 6,283,971):

The Examiner for a third time rejects claims 1-12 under §102(b) as being anticipated by Salyer (US Patent No. 6,001,105) and now adds a new reference Temeles. As clearly shown below, such rejections cannot be sustained and should be withdrawn.

By the Examiner's own silence in his comparison with these prior art references, he admits that Salyer and Temeles lack a "matched *arc* cutting edge" which has "*a cutting profile which substantially matches a profile of the overall shape to be cut.*" As the Examiner is well aware, a §102 rejection cannot be sustained where the claim at issue includes elements that are utterly lacking in the cited prior art. Such is the clearly the case here.

Applicant has previously clarified this patentably distinct feature and the meaning of "profile" in the context of the form to be cut by, in the previous response, amending FIGs. 3C and 4, by adding a common reference numeral 58 to the profile to be cut, represented by the dashed line present in both drawings, as well as an arc segment 59 in FIG. 3C, which shows the particular segment of the cutting edge that matches the profile 58 to be cut. It should now be clear to the Examiner that there is a

"matched arc cutting edge of substantial length that has a cutting profile which substantially matches a profile of an overall shape to be cut" as claimed.

It should now be clear that the Salyer and Temeles prior art lack an essential element of the invention as claimed, namely, that of "the teeth having a matched arc cutting edge of substantial length and which substantially matches a profile of the overall shape to be cut".. Consequently, it is believed that the claims are in condition for allowance, as no new issues are raised that were not apparent from the application as filed. Acknowledgement of this fact is respectfully requested via a notice of allowance of the pending claims.

§ § §

#### Conclusion

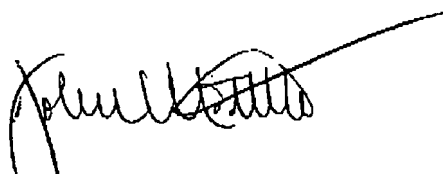
Applicant has made a diligent effort to advance the prosecution of this application by amending claims and pointing out herein with particularity how the claims now presented are patentably distinct from the prior art of record. Therefore, Applicant respectfully submits that the claims are now in condition for allowance. No new matter has been entered by this amendment. Any limitations to the claims are made solely for the purpose of expediting the prosecution of the application and, unless otherwise expressly stated, are not made to narrow, vis-à-vis the prior art, the scope of protection which any subsequently issuing patent might afford. Again, if the Examiner has further questions, he is invited to contact the undersigned at phone 011-4171-230-1000, fax at 011-4171-230-1001 (Switzerland is 6 hours ahead of Eastern Std Time), or e-mail at moetteli@patentinfo.net.

6

The Undersigned authorizes the Commissioner to charge any fee or credit any overpayment of any fee under 37 CFR §1.16 and §1.17 which may be required in this application to the deposit account of MOETTELI & ASSOCIES SARL, no. 50-2621.

Respectfully submitted,

Date : April 26, 2007



John MOETTELI  
U.S. Reg. No. 35,289

Enclosure: none